

Message Text

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ORIGIN PM-04

INFO OCT-01 EUR-12 EA-07 ISO-00 L-03 NSC-05 SP-02 SS-15

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ERDA-05 SSO-00 /069 R

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----- 105331

O R 122100Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY WELLINGTON IMMEDIATE

INFO AMEMBASSY CANBERRA

AMEMBASSY OTTAWA

SECDEF

CNO

CINCPAC

CINCPACFLT MAKALA;A HI

C O N F I D E N T I A L STATE 200811

CINCPAC ALSO FOR POLAD

E.O. 11652: XGDS-3

TAGS: ANZUS, PFOR, MARR, MNUC, NZ, CA

SUBJECT: ASSURANCES ON LIABILITY FOR NUCLEAR ACCIDENTS

REF: WELLINGTON 2999 (DTG 100420Z AUG 76)

1. SUMMARY. THE EXACT TEXT IS SET FORTH OF AN AIDE-
MEMOIRE WHICH MAY BE PROVIDED THE GONZ CONCERNING
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UNILATERAL ASSURANCES ON LIABILITY IN EVENT OF A NUCLEAR

WEAPONS ACCIDENT. PRESS GUIDANCE IS ALSO PROVIDED. END SUMMARY

2. EMBASSY IS AUTHORIZED TO TRANSMIT AN AIDE-MEMOIRE, READING AS FOLLOWS, PROVIDING UNILATERAL ASSURANCES RE NUCLEAR WEAPONS REQUESTED BY REFTEL. AIDE-MEMOIRE MAY BE GIVEN DIRECTLY TO DEP PRIME MINISTER TALBOYS IF EMBASSY BELIEVES THIS WOULD BE APPROPRIATE. IT SHOULD BE CLASSIFIED CONFIDENTIAL.

BEGIN TEXT. QUOTE. ON AUGUST 10, 1976, THE GOVERNMENT OF NEW ZEALAND REQUESTED FROM THE UNITED STATES GOVERNMENT AN ASSURANCE REGARDING LIABILITY IN THE EVENT OF A CLAIM FOR DAMAGE OR LOSS CAUSED BY AN ACCIDENT INVOLVING A NUCLEAR WEAPON THAT MIGHT BE CARRIED ON A UNITED STATES NAVAL VESSEL VISITING NEW ZEALAND. IN RESPONSE TO THAT REQUEST, THE UNITED STATES GOVERNMENT IS PREPARED TO STATE THE FOLLOWING:

THE UNITED STATES GOVERNMENT CERTIFIES THAT ALL SAFETY PRECAUTIONS AND PROCEDURES FOLLOWED IN CONNECTION WITH THE OPERATION IN UNITED STATES PORTS OF UNITED STATES WARSHIPS CARRYING NUCLEAR WEAPONS WILL BE STRICTLY OBSERVED IN VISITS OF SUCH SHIPS TO NEW ZEALAND PORTS. THE APPROPRIATE NEW ZEALAND AUTHORITIES WILL BE NOTIFIED IMMEDIATELY IN THE EVENT OF AN ACCIDENT RELATED TO ANY NUCLEAR WEAPONS WHICH MIGHT BE CARRIED ABOARD SUCH SHIPS. CLAIMS ARISING OUT OF A NUCLEAR WEAPON ACCIDENT OR INCIDENT INVOLVING A VISITING UNITED STATES WARSHIP WILL BE DEALT WITH THROUGH DIPLOMATIC CHANNELS IN ACCORDANCE WITH CUSTOMARY PROCEDURES FOR THE SETTLEMENT OF INTERNATIONAL CLAIMS UNDER GENERALLY ACCEPTED PRINCIPLES OF LAW AND EQUITY. UNQUOTE END TEXT

3. THE COURSE OF ACTION OUTLINED IN PARA 5 OF REFTEL REGARDING PRESS GUIDANCE IS APPROVED, EXCEPT THAT THE WORDS "NUCLEAR-POWERED" SHOULD BE DELETED FROM THE PROPOSED REMARKS SINCE THE ASSURANCES BEING PROVIDED CONCERNING NUCLEAR WEAPONS APPLY TO ALL US WARSHIPS, NOT JUST NUCLEAR POWERED WARSHIPS. THE REMARKS THEN WOULD BE CONFIDENTIAL

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READ: "THE GONZ IS SATISFIED WITH THE ASSURANCES GIVEN BY THE USG WHICH ARE THE SAME ASSURANCES REGARDING VISITING WARSHIPS AS IT HAS GIVEN TO THE GOVERNMENT OF CANADA AND OTHER ALLIES." IF THE PRESS THEN ASK THE GONZ SPOKESMAN IF THESE ASSURANCES INCLUDE NUCLEAR POWERED WARSHIPS, THE SPOKESMAN IS AUTHORIZED TO ANSWER THAT THEY DO.

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